

PTO 1390 Page 1 of 1

US Dept. of Commerce Pat. &amp; Trademark Office

Attorney's Docket No.

21437

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 USC 371

US. Application No. (if known)

**09/529043**

INTERNATIONAL APP. NO.  
**PCT/EP98/06210**

INTERNATIONAL FILING DATE  
**30 September 1998**

PRIORITY DATE CLAIMED  
**4 October 1997**

## TITLE OF INVENTION

**METHOD FOR MICROBIAL PRODUCTION OF AMINO ACIDS OF THE SPARTATE AND/OR  
GLUTAMATE FAMILY AND AGENTS WHICH CAN BE USED IN SAID METH**

APPLICANT(S) FOR DO/EO/US  
**Bernd EIKMANN et al**

Applicant herewith submits to the United States Designated/Elected Office (DO/EU/US) the following .

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 USC 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
3. ☐ This is an express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 317(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 USC 371(c)(2)).
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau.
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Patent Office.
6. ☒ A translation of the International application into English.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau.
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 USC 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).

**Items 11. to 16. below concern documents or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An Assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
  - ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items of information.
  - Drawing (2 sheets)
  - References
  - PTO-1449

17. The following fees are submitted:  
Basic National Fee (37 CFR 1.492(a)(1)-(5):  
Search report has been prepared by the EPO or JP ..... \$840.00  
  
Int'l prel. exam. fee paid to USPTO (37 CFR 1.482) ..... \$670.00  
  
No int'l prel. exam. fee paid to USPTO (37 CFR 1.482)  
but int'l search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$690.00  
  
Neither int'l prel. exam fee (37 CFR 1.482) nor  
int'l search fee (37 CFR 1.455(a)(2)) paid to USPTO ..... \$970.00  
  
Intl. prel. exam. fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Art. 33(2-4) ..... \$96.00  
  
ENTER APPROPRIATE BASIC FEE AMOUNT

CALCULATIONS PTO USE ONLY

\$970

Surcharge of \$130.00 for furnishing oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

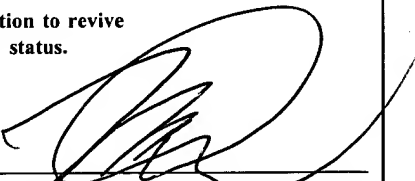
CLAIMS	NO. FILED	NO. EXTRA	RATE		
Total claims	37	17	\$18	\$306	
Ind. claims	0	0	\$78	\$0	
MULTIPLE DEP. CLAIM(S) (if applicable) (see prel. amt.)			260		
TOTAL OF ABOVE CALCULATIONS				\$1,276	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (37 CFR 1.2, 1.27, 1.28)				\$0	
SUBTOTAL				\$1,276	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					
TOTAL NATIONAL FEE				\$1,276	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The Assignment may be accompanied by an appropriate PTO-1595 cover sheet (37 CFR 3.28, 3.39)				\$40	
TOTAL FEES ENCLOSED				\$1,316	
				Amt to be refunded	
				Amt to be charged	

- a. ☒ A check in the amount of \$1276 to cover the above fees is enclosed  
☒ A check in the amount of \$40 to cover recordal of the Assignment  
b. ☐ Please charge my deposit account 18-2025 \$00.00 to cover the above fees. A copy of this sheet is enclosed.  
c. ☒ The commissioner is authorized to charge any additional fees which may be required or credit any overpayment to deposit account 18-2025. A copy of this sheet is enclosed

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:

**The Firm of Karl F. Ross P.C.**  
**5676 Riverdale Ave. Box 900**  
**Riverdale (Bronx), NY 10471**


  
Herbert Dubno, Reg. No. 19,752

09/529043

CERTIFICATE OF EXPRESS OR  
FIRST CLASS MAILING

528 Rec'd PCT/PTO 03 APR 2000

hereby certify that this correspondence is  
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Patents and Trademarks, Washington, D.C.  
20231, on APR 3 - 2000  
(Date of Deposit)

Express Mail Label Number

21437

IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor **Bernd EIKMANNNS et al**  
 Patent App. **Not known (US Nat'l phase of PCT/EP98/062109, P.C.)**  
 Filed **Concurrently herewith**  
 For **METHOD FOR MICROBIAL PRODUCTION OF AMINO ACIDS  
 OF THE SPARTATE AND/OR GLUTAMATE FAMILY AND  
 AGENTS WHICH CAN BE USED IN SAID METH**

Hon. Commissioner of Patents  
 Washington, DC 20231

## RECORD OF TRANSMITTAL--PCT APPLICATION

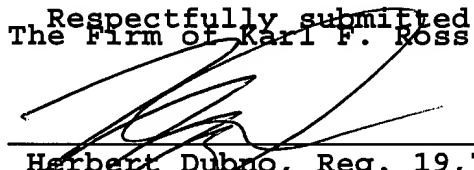
<input checked="" type="checkbox"/>	PCT Transmittal	
<input checked="" type="checkbox"/>	PCT Application	
<input checked="" type="checkbox"/>	Translation	
<input checked="" type="checkbox"/>	Sheets of Drawing (2)	
<input checked="" type="checkbox"/>	PCT Declaration	
<input checked="" type="checkbox"/>	PCT Documents	
<input checked="" type="checkbox"/>	International Search Report	
<input checked="" type="checkbox"/>	Preliminary Amendment	
<input checked="" type="checkbox"/>	Assignment (with PTO-1595 and sep. check)	
<input checked="" type="checkbox"/>	Reference(s) with PTO-1449	
<input checked="" type="checkbox"/>	Check for Official Fees	
<input checked="" type="checkbox"/>	Basic Fee (Large Entity)	\$970.00
<input type="checkbox"/>	Ind. claims in excess of 3	\$00.00
<input checked="" type="checkbox"/>	17 claims in excess of 20	\$306.00
	<b>Total</b>	<b>\$1276.00</b>

Please charge any fees not covered by an enclosed check to  
 account 18-2025 of the undersigned.

3 April 2000

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 Riverdale, NY 10471-0900  
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 Customer No. 000535  
 rg

Respectfully submitted,  
 The Firm of Karl F. Ross P.C.

  
 Herbert Dubno, Reg. 19,752

21437

State of New York       )  
                              )  
County of the Bronx     )       ss:

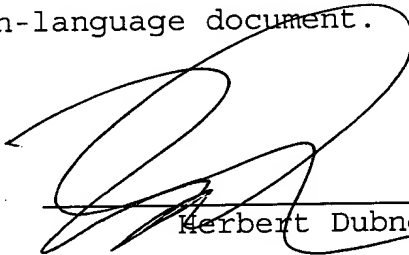
TRANSLATOR'S AFFIDAVIT

I, Herbert Dubno, a citizen of the United States of America, residing in Riverdale (Bronx), New York, depose and state that:


I am familiar with the English and German languages;

I have read a copy of the German-language document attached hereto, namely PCT/EP98/06210; and

The hereto-attached English-language text is an accurate translation of the above-identified German-language document.

  
Herbert Dubno

Sworn to and subscribed before me  
23 March 2000

  
Elise Friedman  
Notary Public